NEW-YORK, THURSDAY, JULY 10, 1879.

# STEAM ON FOURTH AVENUE.

SIGNS OF LIFE IN THE SCHEME. OPINION OF THE RAPID TRANSIT COMMISSIONERS AND OTHERS THAT THE ACTION OF THE ALDER-MEN IS NOT FINAL-APPARENT INDIFFERENCE

OF ME. VANDERBILT. Doubts are expressed as to the effect of the action of the Board of Aldermen on Tuesday in rejecting the report of the Rapid Transit Commission. The Commissioners claim to believe that it was premature, and are proceeding with their work as though no action had been taken. In this view they are sustained by lawyers who have given some attention to the subject. It is represented that Mr. Vanderbilt has not been actively in favor of a rapid transit road on Fourth-ave., and might hesitate to build one if all legal obstacles were removed.

EFFECT OF THE ALDERMEN'S ACTION. DIFFERENCE OF OPINION ON THE SUBJECT-THE

LIW UNDER WHICH THE COMMISSION ACTS. The action of the Board of Aldermen in rejecting the report of the Rapid Transit Commissioners was the subject of general discussion about the City Hall and elsewhere yesterday. The property-owners and others interested in defeating the so-called Vanderbilt scheme were anxious to know whether the action of the Board was final or not. The general oranion seemed to be that it was, and there was evidently much relief felt on the part of the propertywho were threatened with great loss if the scheme for an elevated road from the Grand Central Depot to the City Hall should be carried out. Properly-owners on that line were frequently seen congratulating those on the proposed Fifty-ninth Street Line, who had escaped, so it was thought, a like affliction. After careful inquiry, however, among lawyers and others whose opinions are entitled to respect on this subject, there seems to be strong grounds for believing that the action of the Board Aldermen is not final. It is claimed by the Commissioners, their counsel and others that the approval of the local authorities to build these rapid transit roads may be secured at any time within a period to be fixed by the Commissioners themselves, and that the refusal to give that consent at one time will not prevent its being asked and obtained at some future time. If the view of the law taken by the Commissioners and their counsel be correct, the time at which the scheme will be finally if ever defeated may be indefinitely postponed. "Eternal vigilance is the price of freedom," said a propertyowner yesterday, " in this case as in all others," PROVISIONS OF THE LAW.

The law nuder which this Commission was ap pointed is Chapter 606 of the Laws of 1875. It provides that the Commissioners shall meet within fifteen days after their appointment and organize as a Board, with appropriate officers; within thirty days after organization they shall determine upon the necessity of such steam railways; within sixty days after organization, having determined upon the necessity f such roads, they shall fix and determine the routes; " providing that the consent of the owners of one-half in value of the property founded on, and also the consent of the local authorities . . . be first obtained, or in case the consent of such properry-owners cannot be obtained, that the determi nation of three Commissioners, appointed by the the proposed construction, given after a due hearing of all parties interested and confirmed by the Court, that such railways ought to be constructed or operated, be taken in lieu of the consent of such property-owners."

COURSE OF THE OLD COMMISSION. This is the only provision in the act where the consent of the local anthorities is mentioned as necessary. The Rapid Transit Commissioners appointed by Mayor Wickham in 1875, who located thought it might be necessary, as stated by the above provision, to "first obtain the consent of the local authorities" before designating the routes for a suitways Readvice of their counsel and the approval of Mayor Wickham, they applied to the Board of Aldermen for the passage of a resolution giving such general consent in advance of the location of the routes, stating that as the law required them to designate the routes within sixty days they were afraid the non-approval of the board of Aldermen might defeat the much-needed rapid transit at that time. The Board, however, refused to give such general consent in advance, and in order that rapid transit might not be delayed it remained in session until 10 o'clock at night on the last day of the sixty days named in the law for the order to receive their report and approve it. The report was received and approved within the sixty days. The Board of Aldermen, the Rapid Transit Commissioners and their counsel evidently thought then that such action was necessary. The same Jordan L. Mott, president of the Board, who was one of Mayor Wickham's Rapid Transit Commissioners, says that the action of the Board of Aldermen on Tuesday in refusing consent to the routes located by the Commissioners was final, and defeats any further work of the Com-Mayor Cooper is said to share the same opinion, which he has expressed privately, though he refuses to talk for publication. VIEWS OF THE COMMISSIONERS.

The Commissioners and their counsel, Judge Fos ter and Judge Dickson and Chauncey M. Depew, of the Central Railroad, take an opposite view, however. In support of their view they quote the not, and refer, as a precedent, to the action of the Brooklyn Aldermen. The Rapid Transit Commission of that city was appointed some three years ago. They completed their labors and awaited the formation of a company under the provisions created by them. As rapid transit was regarded then as a doubtful investment, in Brooklyn, at least, the stock was not taken up until last Fall, when the success of similar schemes in this city had shown how profitable it was. A company was then organized, which has since obtained the consent of the Brooklyn Aldermen to the routes located nearly three years ago. It is claimed that this action is entirely legal, and will be a precedent for similar ton in this city if necessary to wait that length

Section 5 of the Rapid Transit Act provides that the Commissioners "shall meet at a place and upon a day not more than mnety days after their organization, and decide upon the plans for the construction of such railways upon the routes and in the locations determined by them."

In the locations determined by them."
Section 6 makes it obligatory upon the Commissioners, within the like period of ninety days
after their organization, " to fix and determine the
time within which such railways, or portions of the same, shall be constructed and ready for organiza-tion," together with the maximum rates of fare to be charged, the hours which special cars or trains shall be run at reduced rates, and also the amount of capital stock of the company to be formed. The Commissioners held a meeting yesterday to decide on the matters contained in these sections, and as the places days well be more Friday they and as the ninety days will be up on Friday, they will probably to-day send to the Mayor the results of their decisions on these points.

Section 7 states that the Commissioners shall

within 120 days after their organization, after hav-ing prepared appropriate articles of association for the company to be formed, "cause a suitable book of subscription to the capital stock of such Com-pany to be opened, pursuant to due public notice, as a banking office in such county." Whenever the whole capital stock, or such percentage as the commissioners may fix, shall have been subscribed by not less than twenty-five persons, and the fixed percentage paid in, then the Commissioners shall call a meeting for the organization of the company. The Commissioners then deduct from the amount paid in the necessary expenses membered by them, and the amounts accrued to them for their salaries. Each Commissioner is allowed by the law at the rate of \$10 for each day of actual service. Having deducted their pay, the remainder of the money collected, and all books and papers in their possession, are required to be transferred to the officers of the company, when their legal existence as Commissioners expires. Nowhere in the law are they required to transmit to the Mayor or Common Counwhole capital stock, or such percentage as the con

cil the results of their labors. They claim that this cil the results of their labors. They claim that this is merely a matter of courtesy on their part, and that it is not their duty, but that of the company, when it is formed, to apply to the local authorities for consent to use the streets in accordance with the routes laid down by them. As the law gives them the power to fix the time in which a company shall be formed and the roads built, the Commissioners claim that until the expiration of such period the consent of the local authorities can be had at any time. The law expressly provides: "That the time, if any, unavoidably consumed by the pendency of legal proceedings shall not be deemed a part of any period or time limited in this act."

THE COMMISSION STILL AT WORK. BELIEF THAT THE ACTION OF THE COMMON COUNCIL IN NO WAY INTERFERED WITH ITS

PINAL WORK. The Rapid Transit Commissioners were in session yesterday at their office in Exchange-st. To a TRIBUNE reporter, who made inquiries regarding

the effect of the action of the Board of Aldermen yesterday, S. R. Filley and B. G. Arnold, two of the Commissioners, said that it substantially had no final effect whatever. The Commissioners and their counsel have all agreed in

this opinion. They had laid out certain rapid transit routes as required by law within sixty days after their organization. They had forwarded a description of these routes to the Mayor with the request that he would present them to the Common Council and ask their consent to the construction on so much of those routes as lay on the public streets. They are further required to fix the conditions as to fare and the manner of construction, the time in which the proposed roads are to be built, and other particulars. The action of the the Board of Aldermen would in no wise, they said, interfere with their further labors. It was premature on the part of the Aldermen to refuse their consent before they knew the conditions and requirements under which the roads must be built. These conditions the Commissioners are now engaged in fixing, which work they will probably finish this week. They will then fix the time under which the roads can be built. When a company or companies are formed, under these conditions, to build the roads, it will be for such companies to obtain the consent of the local authorities having control of the streets. the local authorities having control of the Stevent.
It is not the business or the province of the Commissioners to ask such consent. That consent can be asked from the present Board of Aldermen or any other Board that may be in existence during the time fixed by the Commissioners for the building of the roads and the refusal of the Board of Aldermen to give its consent. refusal of the Board of Aldermen to give its consent at one time will not prevent it giving its con-sent at some future time, providing the time fixed by the commissioners for building the road has not expired. In the meantime the routes already fixed will remain rapid transit routes, and they cannot be occupied by any other commis-sion that may come into existence hereafter or for rapid transit in any other way that would con-dier with the action of this commission. The Comflict with the action of this commission. The Com-missioners said that when the Board of Andermen knows the conditions and all the particulars under which the rapid transit roads were to be built, it uld be better able to pass upon them.

MR. VANDERBILT NOT ANXIOUS. VIEWS OF A GENTLEMAN ASSOCIATED WITH HIM IN BUSINESS-REJECTION BY THE LATE COMMODORE OF THE PRIVILEGE OF BUILDING ON FOURTH-

A gentleman who has close business relations with William H. Vanderbiit said yesterday in reference to the action of the Board of Aldermen in rejecting the Fourth-ave, rapid transit scheme: The Aldermen have been a little hasty perhaps in their action, for they have assumed to reject a plan before it has been fully matured. The Rapid Transit Commissioners, I believe, had thirty days in which to locate a route. They are given thirty days more to arrange the details of trains, run ning time, fares, stations, road structure, etc. Then they have another thirty days for the formation of a company to carry out the plans. The first of these three stages has alone been finished. Thearthat an Alderman said yesterday after the vote had been taken, 'i presume there i nothing to prevent our deciding anew on this ques tion te-merrow or next day? The Aldermen can not act with a perfect understanding of the scheme before the Commissioners have perfected their ns, and persons have offered to form a

"What does Mr. Vanderbilt now propose to do in

"The fact is that Mr. Vanderbilt did not ask for the laying out of such a route, and I no not believe that he has ever expressed a willingness to assume the practical carrying out of the scheme, Mr. Schell was the only member of the Harlem Company who went before the Commissioners. The proper time for Mr. Vanderbilt to speak of his desires to have anything to do with the scheme will be when the Commissioners advertise for the formation of a company to build the road. I do not doubt that he has taken pains to inform himself of the plans and wishes of the Commissioners, the results they seek to obtain and the effects of the enterprise, if carried out, on the railroads which he controls and which form so important a factor in the plans. I very much doubt if Mr. Vanderbilt would undertake to carry out this scheme. He certainly would not in the face of legal difficulties, and with a strong public feeling hostile to the enterprise. Even on the feeling hostile to the enterprise. Even on the score of profit there is not enough in it. The rapid transit trains out of the Grand Central Depot have never paid expenses. The proposed system of rapid transit would not pay exchester District should be built up with the rapidity which land-owners up there expect, the road might pay after rive years. Westelnester residents have come to Mr. Vanderbilt not only singly but in deputations to urge him to assist in building a road of thes kind."

"De you look upon the action of the Aldermen as a death-blow to the proposed road?"

"Many steps have yet to be taken before the plan comes properly before the Aldermen. It is questioned if the plan comes properly under the Street Railway Act, but many things amalagous make it probable that the plan does. Therefore the first act of a company formed to carry out the plans of the Commissioners would be to obtain the consent of half the property owners along the route. Falling in this, the company may ask the Supreme Conri to in this, the company may ask the Supreme Court to appoint three commissioners to inquire if the road is accessary. If the commission should declare it necessary, such declaration would take the place of the consent of the property ewners. Then the scheme would be brought properly before the Alder-men, and if they opposed it i suppose the road could not be built."

## MANTON MARBLES QUIET MARRIAGE.

St. Thomas's Episcopal Church, at Fifty-third-st and Fifth-ave., was the scene of a quiet wedding yesterday, when, at 7 a. m., Manton Marble mar ried Mrs. A. Williams Lambard, of this city. The Rev. Dr. Morgan, rector of the church, who by chance was in the city over Tuesday night, read the service. The only other person present was the sexton, who stood in the distant vestibule The bride and groom arrived in a carriage, and were unattended by friends. As soon as the service was over, Mr. and Mrs. Marble entered the vice was over, Mr. and Mrs. Marble entered the carriage and drove hastily away. Both were dressed in very quiet street costumes. Between the time the church was opened for their reception and closed after their departure, hardly ten minutes clapsed. There was no reception after the marriage, and at 9 o'clock Mr. and Mrs. Marble took passage for their wedding tour on the French steamship Pereire. Mr. Marble's name did not appear in the cabin list of the Pereire, which was published yesterday.

## THE DENNISON PAPER COMPANY.

PORTLAND, Me., July 9 .- A very large meeting of the creditors of the Dennison Paper Manufactur-ing Company, of Mechanics' Falls, was held here to-day. The company's statement showed direct liabilities, in secured, \$260,927; secured liabilities, \$162,638; con tingent on indorsements, \$208,017. The assets consist of mills and machinery at Mechanics' Falls, subject to mortgage of \$100,000; unincumbered real estate and personal property, \$61,088; doubtful assets, \$13,488. cil and a committee of creditors, consisting of Edwin Morey, of Boston; E. Story Smith, of New-York; J. P. Farrington, of Portland; James Monroe, of West Auburn, and John graph.

#### GENERAL FOREIGN NEWS.

THE BRITISH PARLIAMENT. THE UNIVERSITY BILL READ A SECOND TIMP.

LONDON, Wednesday, July 9, 1879.

In the House of Commons last night, the motion of Mr. Sampson Samuel Lloyd (Conservative), Chairman of the Associated Champers of Commerce of the United Kingdom, in favor of the establishment of a Department of Agriculture and Commerce under special Cabinet Minister, was, despite some objections by

the Government, adopted by a vote of 76 to 56. In the House of Loris last night, the Government's Irish University bill, introduced by the Lord Chancellor, Lord Cairns, on the 30th of June, was read a second time. The debate tended to show that the Government may bereafter consent to additions to the bill tending to

may hereafter consent to additions to the bill tending to satisfy the claims of the Irish Catholies in regard to endowments. Thus Lord Cairns, while still opposing the direct endowment of denominational institutions, pointed out that the University of London received some thousands yearly for the purpose of rewarding those who pass an examination which is open to all coners. He said he was quite sure it the Senate of the proposed Irish University were to come to Parliament and say that in order to advance education it would be advasable to offer exhibitions and rewards, no objection would be taken on denominational grounds.

The Times considers that this is a plan intimation to the Catholies to get their university first and ask for money afterward. This opens a prospect of the settlement of the university question on the lines of the Intermediate Education Act passed last year. Both parties seem agreed to the practicability and justice of such a settlement. Further delay, therefore, would be strange. The revolt in the House of Commons on Monday night of a small radical section of the Liberals—about thirty-six in number—against the Marquis of Hartington's authority as the leader of the Liberals, caused a counter-demonstration last night, when the Marquis of Hartington's authority as the leader of the Liberals, caused a counter-demonstration last night, when the Marquis of Hartington's authority as the leader of the Liberals caused a counter-demonstration last night, when the Marquis of Hartington's authority as the leader of the Liberals caused a counter-demonstration last night, when the Marquis of Hartington's authority as the leader of the Liberals caused a counter-demonstration last night, when the Marquis of Hartington's authority as the leader of the Liberals caused a counter-demonstration last night, when the Marquis of Hartington's authority as the leader of the Liberals caused a counter-demonstration last night, when the Marquis of Hartington's authority as the leader of the Liberals caused a counter-d

THE BRITISH GOVERNMENT'S DEFENCE. LONDON, Wednesday, July 9, 1879. Lord Salisbury, the Minister of Foreign Af-

fairs, in a speech at a banquet given to the Conservative members of Parliament for the City of London, said the members of Pariament for the City of London, said the stipulations of the Berlin Treaty had been carried out, and trait the frontier of India had been secured by the Afghan war. Positions in the Mediterranean, he said, must be held by the Turks for the sake of peace in Europe. The British Government had done all it could for Turkey and the peace of the world. Lord Salisbury added that England must always be prepared for war, owing to the armaments maintained by other nations.

#### THE BRITISH ADVANCE.

LONDON, Wednesday, July 9, 1879. Renter's dispatch from Cape Town June 24, via Madeira, reports that General Crea-A general advance was made on the 20th and the Umhalazi River was bridged on the 21st. General Newdigate has reached the Upoko River; his advance guard is near loabanangs. Cotonel Wood was expected to join General Crealock in a few days. The Amatongas are prepared to enter into an almance with the British. lock reached Fort Chelmsford on June 19.

#### GERMAN TARIFF CONTENTIONS. Beelin, Wednesday, July 9, 1879.

The debate on the Tariff bill was continued in the Reichstag to-day. Herr Windthorst defended Herr Frankenstein's motion to distribute the surplus revenue among the Federal States. Herr Bennigsen derevenue among the Federal States. Herr Bennigsen de-clared that if that motion passed he would vote against the Tariff bill. Herr Friedenthal declared that he res-ignation as Minister of Agriculture, was not caused by Herr Frankenstein's motion, which he intended to vote for. It is believed that the views of Dr. Fark, late Min-lister of Ecclesiastical Affairs, are the same as those of Herr Friedenthal on the subject.

The Berlin correspondent of The Standard states that is estimated that the new tariff will realize 120,000,-0 marks fabout \$30,000,000] more than hitherte; half which will be required to cover the deficts of in-ividual States, and 22,000,000 [about \$5,500,000] for right supplies recently voted to the Empre. The et revenue for the States is thus reduced to 35,000,000 marks yearly [nearly \$7,600,000].

#### CASTELAR AGAIN AGGRESSIVE.

Madrid, Wednesday, July 9, 1879. In the Congress, yesterday, Señor Castelar, ontinuing his speech in advocacy of the punish-ent of the authorities of Puerto Plata for suiting the Spanish flag, urged that the public press in perimited to assess the description of the flower ment of the Restoration as reactionary. He said be knew of no restoration which has prevailed against a revolution, for it was impossible to govern against the opinions of the people." There have been other and shothar tracks on the Government by members or the Oppositions of the Op

tion lately.

The Minister of Marine stated that the Govern had no intention of sending a Spanish man-of-weighted waters, as Spain had no connection with cort the belligerent Republics.

THE FRENCH EDUCATIONAL BILL.

VERSAILLES, Wednesday, July 9, 1879. The Chamber of Deputies has passed the Educational bill by a vote of 352 to 159. It rejected, by a vote of 381 to 78, an amendment to M. Jules Ferry's

#### DEATH OF CLEMENT DUVERNOIS. Pakis, Wednesday, July 9, 1879. M. Clement Duvernois, the well-known

M. Duvernois was born in Paris in 1836. He was educated in Algeria, and there began his career as a journalist. Returning to Paris about the year 1859, wrote for several journals, and assisted M a editing La Liberte, In 1866 he fought a in editing La Liberte. In 1866 he fought duel with M. Saresy. In 1869 he became ardent supporter of the Empire, and conduct a journal in its interest. In a short time quarrelied with M. Ollivler, the Fremer, was displaced as editor by M. Vitu. M. Du mass was a member of the French Legislature in 1 and was author of a work on the war with Mexico.

### YELLOW FEVER IN MEMPHIS.

A MAN DIES OF THE DISEASE IN THAT CITY. MEMPHIS, Tenn., July 9.-Frank Mulbranion, an Irishman, age forty-seven years, a shoemaker by trade, was taken sick last Saturday afternoon and died trade, was taken sick last Saturday afternoon and died to-day. A post-mortem examination held by six leading physicians of the city, including Dr. R. W. Mitchell, late Medical Director of the Howard Association, and at present a member of the National Board of Health, revealed the fact that the patient had died of yellow fever. All the physicians declare it a sporadic case. Considerable excitement prevails.

A LARGE ICE-HOUSE BURNED. NYACK, N. Y., July 9 .- The largest iceouse of the Kuickerbocker Ice Company, at Rockland Lake, was destroyed by fire this morning. The nouse contained about 50,000 tons of ice. The fire is supposed to have been of incendary origin.

## TELEGRAPHIC NOTES.

LUMBERMEN IN STRICT CONCLAVE. CHICAGO, Jaiv 9.—The annual convention of the Sational Association of Lumber-Dealers began to-day. The essions are strictly private.

CANADIAN RIFLE-TEAM PRACTISING.

vesterday with the loth Luneashire, twenty men a side.

A STRIKE NEAR ALLENTOWN.

ALLENTOWN, Penn., July 9.—The local miners at Eckley and Bock Mountain Collectes struck this morning for an advance in Seges. A general strike in the Hazieton region is expected.

THE UNCLE SAM EASTWARD BOUND.

HALIFAX, N. S., July 9.—The little bont Uncle Sam, with its crew consenting of Captain Goldsmith and wife, arrived at Sydney yesterd; She left Halifax a formight ago for England.

ALBANY, N. Y., July 9.—At the meeting of the state Ecard of Audit to day the consideration of the claims of the fit and 1038 Resiments were put over till the next erm. The Board sejectron.

CIM. The Board adjourned.

VERMONTLES COMING TO CONEY ISLAND.

RULLAND, Vt., July 9.—The Vermont Editor
Association leave here this evening for New-York, whe
hey will breakfast to morrow at the St. Nicholas Heathey will visit Coney Island on Thursday.

PROPOSED YACHT BACE IN CANADA.

BELLEVILLE, Oht., July 3.—A match between the yachts Ella, of Oswego, N. Y., and Exile Gray, of this city, has been arranged. It will be for \$2500 a side, and will bake place at Kingston, on Tucsday next, over a thirty mile course.

px. PRISIONST VAILS PROPERTY.
TROY, N. Y., July 3.— Extresident Vail, of the Merchants and Mechanics Pank, has mortgaged he real and personal property for \$10,000 to Ason Vail, and has leeded its other property to his sister, Sarah M. Gould, of

THE TIRE APPARATUS OF BALTIMORE.

## THE SEYMOUR HOMICIDE.

POLICE GROPING IN THE DARK. NO IMPORTANT DISCOVERY ANNOUNCED-MR, SEY

MOUR'S COAT NOW SAID TO HAVE BEEN BUT-TONED WHEN HE WAS SHOT-NEW VERSION OF THE RUBBER BAND.

The police seem no nearer a solution of the mystery surrounding the death of John F. Seymour than at the moment his body was discovered. Some discoveries have been made, the importance of which may become apparent. Captain Ryan now says that Mr. Seymour's coat was buttoned when he was shot, and it appears to have been open when he was found; the "rubber band" which was found in the wound is now said to have been a piece of undershirt; and Captain Ryan has discovered that he can drive a ball from Stucke's pistol through an inch board at 100 yards distance.

#### THE LATEST DEVELOPMENTS.

ANOTHER STORY OF A PISTOL PLASH-THE INQUEST TO BE BELD ON SATURDAY-THE POLICE STELL

To a passer-by on Twenty-first-st. yesterday, there was little about the Theological Seminary grounds on Tenth-ave., where John F. Seymour was killed, to attract attention. Late in the afternoon Detectives Dorsey, Hogan and Lahey were seen talking quietly among themselves, pointing occasionally to some window in the vicinity, and then turning toward the spot where Mr. Seymour's body was found. The mowers had finished their work and left the grounds, and the space around the northwestern part of the yard had been closely clipped. The possibility of finding a revolver in the grass has long ago been abandoned, and the suicide theory is entertained by no one who has studied the case.

CAPTAIN RYAN'S DISCOVERIES.

Captain Ryan, of the Sixteenth Precinct, in a conversation last evening, said: "While everything is being done that it is possible to do in the way of clearing up the mystery, there has really been nothing developed thus far which affords the slightest elew. I have to day practised with this pistol (showing the 22-calibre revolver used by young Stucke), and found that at a distance of 100 yards I could drive a ball through an inch-board, I also visited the store of John P. Moore, No. 302 Broadway, where Stucke purchased the pistol, and the clerk whom I saw informed me that in his opinion the ball from such a weapon striking a vital point would kill a man at that range.

" A further examination of the coat worn by Mr. Seymour at the time of his death," continued Captain Ryan, "reveals the fact that the bullet passed through two thicknesses of cloth. The coat worn by the dead man was of blue flannel, and the supposition is that it was buttoned close to the neck. The shot passed through the cloth just above where it was buttoned over. A careful examination of the edges of the holes made by the bullet showed evidences of grease, indicating that the ball when fired was fresh and new."

Captain Ryan says that the Bishop, on being asked further respecting the discovery of the body, said that the first thing he did was to thrust his hand into the collar of his cousin's shirt to see if his throat was cut. His recollection is, however, distinct as to whether he unbuttoned the cont. The police state as a reason for the delay in this discovery that the clothes of the dead man remained in possession of the family, and were only yesterday surrendered to the authorities.

"Another discovery which has just been made," said Castain Ryan, " is the fact that what was at first supposed to be a rubber band proves to be, as near as can be conjectured, a piece of the undershirt worn by Mr. Seymour." The Captain wisely refrains from committing

himself to any theory. The possibility of death resulting from a shot recklessly fixed, either by young Stucke or some one else, is recognized, but the the ory of suicide can find no support, in the opinion of the detectives, in the absence of the necessary weapon whence the ball must have proceeded.

Coroner Flanagan and Captain Ryan were in conm late last evening in regard to the ANOTHER INTERESTING STORY.

A story from another woman who saw a flash in the direction of the Seminary grounds was obtained yesterday. It seems that at about 11 o'clock on the night of the tragedy a lady living in Ninth-ave., a block from the Seminary grounds, finding the heat of the evening oppressive, took her littic girl and started out for a walk of an war. The two walked leisurely down Twentietht., toward Tenth-ave., by the Seminary grounds. When at the lower end of the grounds, near Tenthave., the woman saw a man among the trees. She did not observe him particularly, and only saw that he was a large man. She had never seen Mr. Seynour, and was unable to say whether or not he was the one whom she www. She paid no particular attention to his dress. Her little girl at this point alled her attention to the fire-crackers and to the noise in the neighborhood. As she turned at Tenthave., to go back to Ninth-ave., the woman saw a flash and heard a report in the direction of the Seminary grounds. She heard no cry, and as there was so much firing going on she did not regard it as of any importance. She did not see the man again in the grounds, but after walking about a little while longer she returned home. SHILL DISCUSSING STUCKE'S STORY.

The detectives seem to think that the account which Paul Stucke gave on Tuesday about firing blank cartriges out of the Seminary windows is still worthy of consideration. The ladies opposite the building say that they saw the flashes and heard the reports in the neighsorhood of 10 p. m., whereas Stucke insists that the hour was about 9 p. m. This contradiction of evidence causes the detectives some embarassment. Stucke fortifies his statement by the corroborating testimony of his tutor Frisby, by Dr. leorgas, of Bellevae Hospital, who looked at the lock just before the last three shots were fired, and aw that the time was 9:15 p. m., and by the fact that the lights in the hall, which were always turned off at 10 o'clock, were lighted when he fired the shots. The boy Stucke, it is said, feels keenly the suspicion which the detectives still seem to have that he fired shots later than he says he did. It is also said that he has contradicted himself as to the time when he went to bed that night, but these are regarded as mmor and unimportant points by those who are well-informed in the case, when the positive statements of himself and his tutor are taken into consideration. "There are three reasons," said Mr. Frisby vesterday, " why he couldn't have shot Mr. Seymour. The time when the shots were fired was definitely fixed at 9 and 9:15 p. m., and that they were fired then and at no other time can be proved by Dr. Georgas; secondly, we both saw that the cartridges were blank, I taking special pains to examine them as they were put in; and thirdly, the boy being left-handed, and standing, as he will swear he did, at the left of the window, fired at the ground in the opposite direction from where Mr. Seymour's body was found. Then, again, where did the rubber that was found near the ball come from ! Certainly not from Paul's pistol. While we were at Manhattan Beach I was particular that he should fire the ball cartridges only when there was no one around, and when he did fire them it was either into the sand-bank or into the waves. The boy was under my charge, and I, feeling the responsibility, was very careful with him when he was using his revolver." A TALK WITH DR. MILLER.

Deputy-Coroner Miller gave the bullet which he found in Mr. Seymour's body to Captain Kealy, of the detective force, on Tuesday. In a conversation yesterday, Dr. Milier said: "The theory that Mr. Seymour was shot from a distance seems to me to

be absord. He was a very heavy, thick man, and I found the bullet in his back, just under the skin. can't believe that that ball, small as it is, was fired can't believe that that bull, small as it is, was fired from an ordinary 22-calibre pistol in the hands of some one in the neighboring houses. When I showed the bail to Iuspector Murray, he said immediately that it came from a 'peuper-box pistol,' as it is called—one with seven barrels grouped around a central rod. These pistois, he said, fired 22-calibre balls, and on account of the length of the barrels would throw a long distance with deadly effect. I am still of the opinion that the ball came from a revolver not more than ten or fifteen feet off at the most, and probably nearer. I think it will eventually be found that Mr. Seymour was shot either this way or by a ball from a ride pistol throwing a long distance. I tuink he then fell forward on his head, bruising his nose and crusaing his hat. If the blow on the nose had been struck five seconds before he was shot it would have caused his nose to bleed. I was very careful to examine the nostrils after the shooting, for Dr. Hudson then called my attention to the unusual appearance of the nose, but I couldn't find the cast trace of blood. This convinced me that the blow was received after he was shot, in which case the severing of the large artery near the heart would have immediately prevented the possibility of any superficial bleeding. I found several pieces of coal near the body, and the bruse might have been caused by any one of them. I think it will finally appear that he was on his face when he was first found. The little piece of wad, or something of the kind, was discovered about an inch further in the hody, back of the bullet. The shot went through Mr. Seymour's shirt, so that it couldn't have ocen a piece of his coal or his suspender."

Much of the time of the detectives is given up to listening to accounts of people who are said to have heard reports or seen pistol flashes in the neighborhood on Thursday night. Paul Stucke said yo-terday that he heard from two companions, the name of one of whom was Wilhe Wann, that a boy on Twentieth-st owned an a from an ordinary 22-calibre pistol in the hands of

seen in the grounds on Thursday evening is known, and will appear at the inquest. Report has it that he was one of the gentlemen connected with the

Seminary. THE INQUEST TO BE HELD ON SATURDAY.

The inquest has been fixed for 10 a. m. on Satur day, and subpossas are being issued to the persons who will testify. The inquest will probably be held in one of the Seminary buildings. The name of the woman in white, who will testify at that time, is said to be Mrs. Charles P. Whitney, of No. 426 West Nineteenth-st., whose son is a student in the Seminary. On the evening of the murder they had been taking a stroll about the Seminary grounds, and as they went along Twentieth-st, they saw some one come out of Bishop's Seymout's house.

Captain Kealy, of the Police Headquarters Descrive Force, said yesterday that he had examined the bullet taken from Mr. Seymout's body. It evidently belonged to a small-sized Coit's revolver. It was similar in size and shape to the bullet found in the fence surrounding the Seminary grounds. He had supposed that the weapons carrying bullets of this size were not dangerous at a distance of 100 rest, but he had been assured by manufacturers that the pistols would carry 600 feet with deadly effect. Captain Kealy said he had no theory regarding Mr. Seymour's death, and he had no information except what had been published. An old 22-calibre bullet was found yesterday afternoon by Sergeant Blair embedded on the outside of the fence on Twenty-first-st, about three feet from the ground. It was in a line between some of the houses and the place where the body was found, but was evidently fired long ago. It seems to have been shot from an elevation. been taking a stroll about the Seminary grounds,

RESOLUTIONS OF SYMPATHY. At the regular meeting of the trustees of the w-York Lafe Insurance Company yesterday, resolutions of consolence and sympathy for the family of Mr. Seymour, who was a trustee of the com pany, were passed. The resolutions also referred to the high esteem in which he was held, both by the officers of the company and by all who were acquainted with him. Among the trustees there were present Morris Franklin, Robert B. Collins, Charles Wright, John Mairs, William A. Booth, William H. Appleton, H. B. Chalin, William H. Beers, Edward Martin and S. S. Fisher. The sad affair was talked over by the gentlemen, and the idea of Mr. Seymour's having committed suicide was scouted by all. Mr. Seymour was a joily, whole-souled man, it was said, and there was no possible motive for his having killed himseif.

### A STIRRING DAY AT NEWPORT.

THE TWENTY-THIRD REGIMENT SPEND A DAY IN PARADES AND REVIEWS AND THEN START FOR HOME.

Morgan, of New-York, entertained the oilleers of the 23d Regiment this afternoon at his Summer residence in

Tuo last day of the regiment at Camp Robinson has cu a stirring one. There was guard mounting an battalion drill this morning and during the rest of the day all have been busy in packing up and getting ready for their return home to-night. General Burnside re viewed the regiment this afternoon at 4 o'cleck. Ten thousand people were present and great enthusiasn was manifested. After review there was a dress parade, the soldiers in full uniform with white trousers present

the soldiers in full iniform with white trousers presenting a fine superance.

After supper the line was formed in front of the Ocean House and the march to Long Wharf to the Fall River boat for New-York was begun. The regiment was excepted by the Newport Artillery, accompanied by the Newport Band. Great entitusiasm was above all clong the line of march. The sidewalkepwere crowded with people and the heavens were fluminated with red fire and fire works. It was the greatest event of the kind ever seen in Newport.

### THE TRIAL OF BUFORD BEGUN.

OWENTON, Ky., July 9 .- The court convened at 2 p. m. to-iny for the trial of Baford, Judge McNa-mara presiding. Judge Curtis, of New-York, John A. Pratt, of Lexington, and P. B. Thompson, of Harcods Pratt. of Landson Practice of the defence, and Warren Montfert, Commonwealth's Attorney, John Rodman and J. D. Commonwealth's Attorney, John Rodman and J. D. Lillard appeared for the prosecution. The Shoriff, with his prisoner, Thomas Buford, arrived here by stage his prisoner, Thomas Buford, arrived here by singe about halt-past 12. Buford was immediately taken to lail, where he remained until a few minutes before 2, when he was brought into the conferoom, his brother stiting near him during the proceedings. The prisoner seemed very cool and tranquil. After a short session the court adjourned until to-morrow to give the defence time to get records from Frankfort, which will be brought here by special messenger.

### ATLANTIC AND GREAT WESTERN.

AKRON, Ohio, July 9 .- In the Common Pleas Court for Summit County to-day, Judge Tibbals made the order asked by the Franco-Egyptian Paris Bank and others in interest, for the sale of the Atlantic and Great Western Raticoad, but not before February next. He ilso overruled the objection that the consolidated mortgage bonds were issued by the trustees just after reorgage bonds were issued by the trustees just after reorganization, holding that the presumption is that no road could have a satisfied a necessarily and the carnings to pay cash for the great line purchased, and hence the issuing of mertgage bonds would be an inevitable step. The attorneys for Messay, Bischoffscheim & Goldsmith, of London, expect that point to be argued hereafter.

### MRS. SMITH AND "COVE" BENNETT.

TRENTON, N. J., July 9 .- Argument on the writ of error in the case of Mrs. Smith and "Cove" Bennett, convicted of murder in Hudson County, was closed -day before Judge Knapp, of the Supreme Court. The wish is to set aside the verdiet and induce the Court to order a new trial. Judge Knapp took the papers, and it is understood that he will render a decision in time to bring the case before the Court of Errors and Appeals on Wednesday next.

### THE HARRISON-VREELAND CASE.

TRENTON, N. J., July 9.-The Harrison-Vreeland case has been represented (in one form or an other) in the Supreme Court, at Treuten, every term since its trial in April, 1877, without success in obabsence of direct testimony proving the identity of the writer and whees he Mrs. Harrison's bond. That point is now actiled satisfactorily, as the identity of the person is unequivocally proved. The trial will go on in the Fall.

### BUZZELL DEFEATED AT EVERY TURN.

CONCORD, N. H., July 9 .- There was a hearing this forenoon before the Special Committee of the House on the abolition of capital punishment. Various gentlemen made speeches. A bill for the commutation of the sentence of Buzzeil was drafted whis afternoon, but the motion to allow its introduction was lost. To-night, after a long discussion in the House, a motion to reconsider the vote by which the motion to allow the introduction of the bill was lost was decided in the neg-

#### THE SARATOGA REGATTA.

AN AUSPICIOUS OPENING.

THE WEATHER ALL THAT COULD BE DESIRED-A SMALL ATTENDANCE-THE OLYMPICS, OF ALBANY, WIN THE PAIR-OAR RACE-A WALK OVER FOR LEGE SINGLES HACES-THREE WELL CONTESTED BEATS FOR THE SINGLE SCULL PACE-THE MU-TUALS, OF ALBANY, VICTORS IN THE SIX-OARED

[FROM A SPECIAL CORRESPONDENT OF THE TRIBENE.] SARATOGA, July 9 .- This morning broke wonderfully clear after the bad weather of the last few days; the lake was very smooth, there was only a light wind, and not only did everything betoken a charming day for boat-racing, but all the indications went to prove still further that the choice of the National Amateur Regatta Committee was most wise one. Saratoga Lake has been a proverbially unlucky course for boat racing. The lake is calm and quiet enough under ordinary eircumstances, but the moment there is a race on hand, the wretched little bit of water will at once proceed to kick up a dreadful row, and to make it impos sible for a shell to live on its surface. However, in the mornings the water is apt to be smooth, and

this is the reason that the National Association

THE OPENING RACE.

chose the early part of the day for its races.

The first race, the pair-oar, was announced for 10 o'clock. At a quarter to 10 the press and the judges poats left the wharf and proceeded to the head of the course, whence they were expected to follow the crews. At this time the lake was almost as smooth as glass, broken only by a slight ripple which was scarcely enough to ruffle the surface of the water. In the first race the Olympics, of Albany, the Wah-wah-sums and the first Zephyr crew started. For the first mile a prettier race was never seen. The Zephyrs rowed ail out of their course, behind the press boat, and before a dozen strokes were rowed, were practically out of the race, but up to the very finish line it seemed anybody's race, as seen from behind, so far as the others were concerned, and much of the time the "Wahs" seemed ahead. But the fluish line is diagonal, and though both crews steered wildly, the Olympics won in 9 min. 413, sec., with the "Wahs" just 16 seconds behind. A more pluckily contested race has rarely been seen, and no race in the whole regatta is likely to be greeted with more enthustasm. As seen from the press boot, the grand stand looked much smaller than in former years, and was very scantily filled. Perhaps the early hour of the races had something to do with this, but assuredly the interest in the regatta save among rowing men and their "s-t," is not one-tenth as great as it used to be in the days of

the old inter-collegiate regattas. A WALK-OVER FOR CORNELL.

The second race was a walk-over for the Cornell four. None of the other college crews showed up, but Cornell had made up her mind that she would try to make the best time on record, so that the race had some decided interest. However, she only did it in 9m. 15s. The Atalanta four rowed down along-side the Cornell Crew, and apparently found no sort of difficulty in keeping ahead of her. AN INTERESTING EVENT.

The third event was a walk-over for Lewis, of Cornell. Goddard, of Havard, was entered for this race, and would very probably have wen it, for his victory over Livingston, of Ynie, showed him an oarsman of the very best sort. But Goddard withdrew on account of the death of his mother, so

Lewis had things all to himself. He made the mile and a half in 11m. 541gs.

THE SENIOR SINGLE-SCULL RACE. In the senior single sculls, first heat, Murray, of the Elizabeth Club, won by about a length and a half, in about 11 min. 35 sec., with Masgrove, of the St. John Club, of New-Orleans, second. The other men came in-Long third, with Gear and Pilkingion behind hom, about tie on the fluish line. In the econd heat, Kathborne, of the New-York Athletia Clab, won quite easily, with Phillips second, Higgius third, Larmon fourth, Brennan withdrew b fore the close of the race. Rathborne wen in 11 mm. 1312 sec. The third heat was won by Holmes, of the Pawtucket Club, after a beautiful him very closely, so closely that at one time it was altogether uncertain whose race it was. It was won in 10 minutes and 5312 seconds. Crotty was third, Lyon fourth and Hyndman lact.

THE EVENT OF THE DAY.

The great event of the day was the six-oared race. There were three crows entered for this: The Shawaut, of Boston; the Mutuals, of Albany, and the Dauntless, of New-York. The latter crew was beavily handlenpped, for while the other two rowed in shells, they had to row in a gig with a cockswain. This, of course, is a very serious disasivantage, but so great was the confidence of the public in this crew, and especially in its placky little stroke. Reach, that there were plenty of people willing to back the Pauntless crew at even terms against the lield. This thee was started precisely on time, as were all the races, indeed, and it was one of the very pleasantest features of the regatta, that every race was started just at the time amounced, and that there was no delay. In this race the Shawmut got off hist, publing about 43 strokes to the inhute, with the Motaals second, publing about 40, and koach's crew has. But before the quarter mile was passed the Matanis had taken the lead, and Koach's plucky little crew had taken second pince. But the leads are second pince. But the lengths on the least had rake; but in This, of course, is a very serious disadvantage, but pince. Bad sceering finite the shattal reew look two or three lengths on the last had ratic; but in spite of this they won quite castly by six or seven lengths in 8 and, 50 sec, with the Dauntiess crew second, three or four lengths aliend of the Shawmuts. Taken altogether, to-day's races do not prove very much, and it is impossible to form from them much of an idea of what many of the contending ourseinen amount to. The pair-our race was decisive. So too, in one sense, was the sixeven terms with the Mutuals, it welds either have beaten teem or at least have given them a terribly hard struggle. The plack of Rouch's crew and of as splendid intie stroke, cannot be too highly commended. Asto the other races, there is but little to say. The trial heats in the senior single scules simply determined who was to row in the final winners with be. There seems, however, to be every probability that the final heat will result in a very close contest between ifolines and Kathborne. The coffere rowing was a complete fizzle. There were no contestants for the challenge caps save the Cornell men, who walked out in both races. Cornell's attempt to least the record for four-ours in a mile and a half was a failure, and, indeed, the rowing of her crew was not good. All the talk of the other colleges being afraid to send crews to meet Cornell in this regatta (and there has been a good deal of this sort of talk) is the shereest non-sense. The attendance at the lake to-day was not applied to the colleges being afraid to send crews to meet Cornell in this sort of talk) is the shereest non-sense. The attendance at the lake to-day was not applied to the colleges being afraid to send crews to meet Cornell in this part of talk is the shereest non-sense. The attendance at the lake to-day was not a the college to the college to the received the result in this regatial rising the college to the college to the part of the college to the college to the lake to-day was not to the college to the college to the college to the college to the lake to-day was not the college to the col sense. The attendance at the take to-day was not large, but public interest in the regattals rising rapidly, and on the next two or three days there will certainly be many more people out there.

TWO COLLEGE CREWS AT LAKE GEORGE. LAKE GEORGE, N. Y., July 9 .- The Wesleyan

and Columbia crows arrived here to-day, and will per-ticipate in the regatta to take place here. ORIMES AND CASUALTIES-BY TELEGRAPH.

FOUND DEAD IN AN ICE-HOUSE.

CONSACKIE, N. Y., July 9.—Jacob Young, age
eighty, was found dead in Burchell's technose at Consackie
Island this morning. It is supposed that he tell from the loft. TEN YEARS IN PRISON.

NEW-HAVEN, Conn., July 9.—Elijah W. Smith, who was convicted of attempting to polson Winism's. Crofut and family has been sentenced to ten years in prison, the smallest sentence allowable.

annaliest dentence allowable.

A MURDER IN IOWA.

MUSCATINE, Iowa, July 9.—William Teets, a well-known and respectable isrmet, living ten miles southwest of this city, was muritered yesterolay alternoon with a cisb by william Peacering. The act was caused by family troubles.

William Pickering. The act was caused by family troubles.

A COLLISION ON THE HUDSON.

Newburd, N. Y., July 9.—The propeller John L.,
Hasbronck was in collision with the schooler leades sharwood on the Hunson, last night. The schooler, with 42,000
briefs, sank in there feet of water. Her crow escaped. The
propeller was not much damaged.

A BOY PAYS DEARLY FOR A PIECE OF MISCHIEF.

HUFFALO, N. Y., July 9.—Louis Schlacter, a
butcher, age thirty-one, threw a large knife at Peter Miller,
age minetest, today, atriking him in the log below the knee
and taying it oben. He blood to death, Miller, with other bays
and aggravated schueter, and this morning threw a piece of
liver at him, which struck him to the face.